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TAGS: [EWWT](#) [MARR](#) [PGOV](#) [PHSA](#) [PHUM](#) [PREL](#) [NATO](#) [SO](#) [FR](#)

SUBJECT: PIRACY: FRANCE SHARES OPPOSITION TO INTERNATIONAL  
TRIBUNAL BUT HAS NO NEW ASSETS FOR NATO MISSION

REF: A. STATE 58579

[1](#)B. STATE 58992

Classified By: Political Counselor Andrew Young for Reasons 1.4(b), (d)  
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[1](#)1. (C) SUMMARY: Ambassador Chantal Poirer, MFA Coordinator for Anti-Piracy Policy, said on June 17 that France was opposed to the creation of an international tribunal that would try suspected pirates. France plans to send a representative to the expert-level meeting that the Dutch have proposed for July 7 in The Hague to discuss creation of such a tribunal, where France will reiterate its opposition. She said France was grateful for Kenya's cooperation in accepting and trying pirates and that France and the EU were working to gain a similar agreement with the Seychelles. Poirer regretted that France lacked new resources to contribute to NATO's anti-piracy operation in development but she hoped the EU and NATO could continue their productive cooperation. END SUMMARY.

[1](#)2. (U) Acting AF-watcher and PolMilOff met on June 17 with Chantal Poirer, the MFA's Ambassador-rank officer coordinating anti-piracy policy, to discuss reftels.

PIRACY COURT

[1](#)3. (C) Poirer said France opposed the creation of a new international tribunal for trying suspected pirates, for many of the same reasons articulated in ref A. She said such tribunals were appropriate for judging leaders accused of offenses such as genocide, war crimes, and crimes against humanity, but not for pirates, who were more akin to common criminals. There was also the question of cost and the time it could take to establish such a court.

[1](#)4. (C) Poirer said France prosecuted pirates in French courts when they were accused of acts of piracy against French ships, crew, or passengers. She said, without giving further details, that France would expand its anti-piracy laws, suggesting it would become easier to prosecute suspects in French courts. In the early stages of the anti-piracy campaign, France came to an agreement with Somalia's TFG to turn over pirates to law enforcement authorities in Puntland on condition that they be treated properly and not face the death penalty. Since the EU reached agreement with Kenya, that country has become the preferred destination. Poirer said France and other Europeans were grateful for Kenya's

willingness to deal with the pirates and she noted that EU assistance to Kenya directly related to piracy amounted to 1.7 million euros (about 2.36 million USD). Poiret said the Europeans were negotiating a similar arrangement with the Seychelles.

15. (C) According to Poiret, some countries that had expressed support for a piracy tribunal seemed to be backtracking. Germany now seemed more in agreement that piracy did not warrant creation of an international tribunal. Russia, perhaps sensitive to the potential costs involved, also seemed to have weakened its initial support. Poiret shared French reporting of a recent UN lunch where UNSYG Ban Ki Moon expressed support for an international tribunal, at which point the Russian UN PermRep rushed to clarify that "it is just an idea for discussion."

16. (C) Poiret said the main proponent of an international tribunal was the Netherlands, which had proposed a conference in The Hague on July 7 to discuss the issue. Poiret confirmed France would attend the conference ("dangerous to leave an empty seat") and reiterate its opposition to the tribunal. She suggested that like-minded countries, including the United States, also attend in order to express opposition.

#### NATO ANTI-PIRACY OPERATIONS

17. (C) Poiret said France supported NATO's planned Operation Ocean Shield, adding that the expanding geographic range of piracy made it imperative to use whatever means were available to fight the problem. She observed that current

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anti-piracy operations seemed to be forcing pirates to target vessels farther and farther away from the original Horn of Africa region. However, France did not plan to provide any assets to the NATO mission. According to Poiret, this decision was based entirely on resource constraints faced by the French military. While France believed that the EU's ATALANTA mission was working well and was the most appropriate recipient of French assets, she stressed it had no ideological opposition to NATO's engagement. In any event, Poiret hoped that NATO and EU forces in the region would continue close cooperation.

PEKALA